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PATENT ^{ac} 3-1-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 27 2003

GROUP 1700

In re Application of

GENE EDWARD KOUBA

Serial No.: 10/036,795

Filed: November 8, 2001

For: FLOW CONDITIONING
APPARATUS AND SEPARATION
SYSTEMS AND METHODS FOR
USING THE SAME

GROUP ART UNIT: 1724

EXAMINER: REIFSNYDER, DAVID A.

P.O. Box 6006
San Ramon, CA 94583-0806

RESPONSE TO RESTRICTION REQUIREMENT

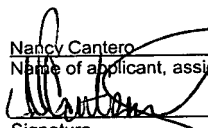
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is in response to the restriction requirement mailed January 16, 2003.

The claims of Group II are elected with traverse. The claims of Groups I, II, and III are inter-twined. A proper examination of the Group II claims would necessitate a search in the area for Group I and Group III claims.

I hereby certify that I have a reasonable basis for believing that this correspondence will be deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents,
Washington, D.C. 20231, on February 18, 2003
Date of Deposit

Nancy Cantero
Name of applicant, assignee, or Registered Rep.

Signature

2-18-2003
Date

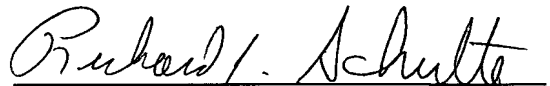
With respect to Group I and II inventions, the Examiner asserts that "the apparatus as claimed can be used to practice a materially different process such as one which only passes a portion of the fluid mixture to the cooperating liquid separation apparatus." Applicant respectfully disagrees that this apparatus can be used to "practice another and materially different practice." The apparatus is intended to keep droplets coalesced or at least minimize the dispersion of droplets prior to introduction to one or more separators. Applicant does not understand why only a portion of the fluid mixture would be passed to a cooperating liquid separation apparatus or how this would be a materially different process.

Similarly, Group I system claims utilize the apparatus of the Group III claims. A search for the apparatus used to coalesce droplets upstream from separators should result in virtually the same search as for the combination of apparatus and downstream separator(s).

Further, the method of Group II claims generally uses the separation apparatus Group III claims in the system of Group I claims. Rather than Group II and III claims being "not related as process and apparatus for its practice", they are highly related.

Applicant respectfully disagrees that these three inventions are not highly materially related. It is believed a single search is appropriate to examine Group I, II, and III claims. Accordingly, the Examiner's reconsideration is earnestly solicited and it is respectfully requested that the Restriction Requirement be withdrawn and all claims examined concurrently.

Respectfully submitted,



Richard J. Schulte
Attorney for Applicant
Reg. No. 35,350
(925) 842-1476

RJSchulte:ncc

February 18, 2003